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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,976	07/31/2003	Juho Pirskanen	59643.00221	1854

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EXAMINER

NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/630,976

Applicant(s)

PIRSKANEN ET AL.

Examiner

Khai M. Nguyen

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38, 40 is/are rejected.
- 7) ☒ Claim(s) 39 and 41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/11/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement file on January 11, 2005 have been considered by the examiner (see attached PTO-1449 form or PTO/SB/08A and 08 forms).

Specification

2. Abstract is objected because it appears to be word for word same as claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, 10-23, 25-38, and 40-41 rejected under 35 U.S.C. 102(e) as being anticipated by Amirijoo et al. (U.S.Pub-20030050097).

Regarding claim 1, Amirijoo teaches a method of validating user equipment for a multimedia broadcast service (fig.5-6, paragraph 0055, 0090-0091), comprising allocating a unique identifier value to a user equipment (paragraph 0031), the unique

identifier value being in a range of values reserved for said multimedia broadcast service (fig.8, paragraph 0055, 0096-0097).

Regarding claim 2, Amirijoo teaches a method according to claim 1 wherein there is a plurality of multimedia broadcast services (fig.5-6), there being a non-overlapping range of values reserved for each respective multimedia broadcast service (paragraph 0052, 0096-0097).

Regarding claim 3, Amirijoo teaches a method according to claim 1 wherein the unique identifier value is based on a unique factor for the multimedia broadcast service (fig.5-6, paragraph 0006, 0055).

Regarding claim 4, Amirijoo teaches a method according to claim 1 wherein the unique identifier value is based on a unique identifier of the user equipment (paragraph 0031-0032, 0064).

Regarding claim 5, Amirijoo teaches a method according to claim 4 wherein the unique identifier value of the user equipment comprises an IMSI (paragraph 0031-0032, 0064).

Regarding claim 6, Amirijoo teaches a method according to claim 4 wherein the unique identifier value of the user equipment comprises a user equipment specific identification (paragraph 0064-0065).

Regarding claim 7, Amirijoo teaches a method according to claim 1 wherein the unique identifier value is based on a unique factor for the multimedia broadcast service (paragraph 0031-0032, 0064).

Regarding claim 8, Amirijoo teaches a method according to claim 7 wherein the unique factor for the multimedia broadcast service comprises a service identifier (paragraph 0031-0032, 0064).

Regarding claim 9, Amirijoo teaches a method according to claim 1 wherein the unique identifier is based on a combination of a factor associated with the multimedia broadcast service, an identifier of the multimedia broadcast service, and an identifier of the user equipment (paragraph 0031-0032, 0064).

Regarding claim 10, Amirijoo teaches a method according to claim 1 wherein said unique identifier value is transmitted from the user equipment to an associated network during multimedia broadcast service counting (fig.5-6, paragraph 0019, 0033, 0091).

Regarding claim 11, Amirijoo teaches a method according to claim 10 wherein said multimedia broadcast service counting determines a number of user equipment associated with the multimedia broadcast service (fig.5-6, paragraph 0019, 0033, 0091).

Regarding claim 12, Amirijoo teaches a method according to claim 11 wherein there is provided a threshold value corresponding to a predetermined number of user equipment (fig.5-6, paragraph 0019, 0033, 0091), wherein if the threshold is exceeded the multimedia broadcast service counting is terminated (fig.3, paragraph 0033).

Regarding claim 13, Amirijoo teaches a method according to claim 11 wherein the number of user equipment associated with the multimedia broadcast service is used to determine whether the broadcast uses point-to-point or point-to-multipoint channels (fig.3-6, paragraph 0033, 0098).

Regarding claim 14, Amirijoo teaches a method according to claim 13 wherein there is provided a threshold value corresponding to a predetermined number of user equipment, wherein if the threshold value is exceeded a point-to-multipoint channel is used (fig.3-6, paragraph 0033, 0098).

Regarding claim 15, Amirijoo teaches a method according to claim 1 wherein said unique identifier is transmitted as part of a group membership report message (paragraph 0096-0097).

Regarding claim 16, Amirijoo teaches a method according to claim 10 wherein the unique identifier value is transmitted from the user equipment when the user equipment is in an idle mode (paragraph 0013, 0020).

Regarding claim 17, Amirijoo teaches a method according to claim 10 wherein the unique identifier value is transmitted from the user equipment when the user equipment is in a URA_PCH mode (paragraph 0013-0015).

Regarding claim 18, Amirijoo teaches a user equipment configured to validate a multimedia broadcast service (fig.5-6, paragraph 0055, 0090-0091), comprising means

for determining a unique identifier value for the user equipment (paragraph 0031), the unique identifier value being in a range of values reserved for said multimedia broadcast service (fig.8, paragraph 0055, 0096-0097).

Regarding claim 19, Amirijoo teaches a user equipment according to claim 18 wherein there is further provided means for transmitting said unique identifier to a radio access network in which the user equipment is connected (fig.1-6, paragraph 0051).

Regarding claim 20, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier is based on a unique factor for the multimedia broadcast service (fig.5-6, paragraph 0006, 0055).

Regarding claim 21, Amirijoo teaches a user equipment according to claim 20 wherein the unique factor is received from a core network (fig.1-6, paragraph 0051, 0055-0056).

Regarding claim 22, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier is based on a unique identifier of the user equipment (paragraph 0031-0032, 0064).

Regarding claim 23, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier is based on a unique identifier for the multimedia broadcast service (paragraph 0031-0032, 0064).

Regarding claim 24, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier is based on a combination of a factor associated with the multimedia broadcast service, an identifier of the multimedia broadcast service, and an identifier of the user equipment (paragraph 0096-0097).

Regarding claim 25, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier value is transmitted from the user equipment when the user equipment is an idle mode (paragraph 0013, 0020).

Regarding claim 26, Amirijoo teaches a user equipment according to claim 18 wherein the unique identifier value is transmitted from the user equipment when the user equipment is an active mode (paragraph 0013, 0020).

Regarding claim 27, Amirijoo teaches a network element adapted to validate a user equipment in a multimedia broadcast service (fig.5-6, paragraph 0055, 0090-0091), comprising means for receiving a unique identifier value for the user equipment from the user equipment (paragraph 0031), and means for determining if the unique identifier value is in a range of values reserved for said multimedia broadcast service (fig.8, paragraph 0055, 0096-0097).

Regarding claim 28, Amirijoo teaches a network element according to claim 27, comprising a radio access network element (fig.1-6, paragraph 0051).

Regarding claim 29, Amirijoo teaches a network element according to claim 28, wherein the network element receives the range of values from the core network (paragraph 0051-0052).

Regarding claim 30, Amirijoo teaches a network element according to claim 27 further adapted to transmit to the user equipment a unique factor for the multimedia broadcast service (paragraph 0055-0056), wherein the unique identifier value for the user equipment is based on the unique factor (fig.5-6, paragraph 0006, 0055).

Regarding claim 31, Amirijoo teaches a network element according to claim 27 wherein the network element comprises a radio access element further adapted to receive the unique factor from a core network (fig.1-6, paragraph 0051-0052).

Regarding claim 32, Amirijoo teaches a network element according to claim 27 further adapted to transmit to a unique identifier of the multimedia broadcast service (paragraph 0006, 0031), wherein the unique identifier value for the user equipment is based on the unique identifier of the service (fig.5-6, paragraph 0006, 0031-0032, 0064).

Regarding claim 33, Amirijoo teaches a network element according to claim 32, wherein the network element comprises a radio access element further adapted to receive the unique factor from a core network (fig.1-6, paragraph 0051-0052).

Regarding claim 34, Amirijoo teaches a network element according to claim 27 further comprising means for counting a number of unique identifier values received (paragraph 0096-0097).

Regarding claim 35, Amirijoo teaches a network element according to claim 34 wherein there is provided a threshold value corresponding to a predetermined number of user equipment (fig.5-6, paragraph 0019, 0033, 0091), wherein if the threshold is exceeded the counting is terminated (fig.3, paragraph 0033).

Regarding claim 36, Amirijoo teaches a network element according to claim 34 wherein the number of user equipment associated with the multimedia broadcast service is used to determine whether the broadcast uses point-to-point or point-to-multipoint channels (fig.3-6, paragraph 0033, 0098).

Regarding claim 37, Amirijoo teaches a network element according to claim 34 wherein there is provided a threshold value corresponding to a predetermined number of user equipment, wherein if the threshold value is exceeded a point-to-multipoint channel is used (fig.3-6, paragraph 0033, 0098).

Regarding claim 38, Amirijoo teaches a network element according to claim 27 wherein said unique identifier value is received as part of a group membership report message (paragraph 0096-0097).

Regarding claim 40, Amirijoo teaches a network element according to claim 27 wherein if a received unique identifier value is not in the defined range it is ignored (paragraph 0096-0097).

Allowable Subject Matter

4. Claims 39, 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reitberger (U.S.Pat-5218717) discloses Simulcast transmission system with improved synchronizing system.

Smith et al. (U.S.Pub-20040198413) discloses Wireless communication device with call management capability and method therefor.

Hall et al. (U.S.Pat-6473422) discloses Communications network and method for screening incoming circuit switched calls.

Maggenti et al. (U.S.Pub-20040179689) discloses Communication device for providing security in a group communication network.

Conclusion


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
Au: 2687


SONNY TRINH
PRIMARY EXAMINER

8/11/2005